

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

**INDEMNITY INSURANCE COMPANY]
OF NORTH AMERICA,]**

Plaintiff,]

v.]

1:18-cv-01964-ACA

**VALERIE SKYE CHANDLER OWENS]
OWENS CONTRACTING, LLC,]
DONALD RAY OWENS, JR., and]
DONALD RAY OWENS, III,]**

Defendants.]

FINAL ORDER

This matter comes before the court on Plaintiff Indemnity Insurance Company of North America's "Notice of Voluntary Dismissal," in which it seeks to dismiss with prejudice all remaining claims of the complaint. (Doc. 17).

Federal Rule of Civil Procedure 41 permits a plaintiff to voluntarily dismiss a case without a court order only if she files a notice "before the opposing party serves either an answer or a motion for summary judgment," or if all parties stipulate to the dismissal. Fed. R. Civ. P. 41(a)(1)(A). The court may grant such a motion "unless the defendant will suffer clear legal prejudice, other than the mere prospect of a subsequent lawsuit, as a result." *McCants v. Ford Motor Co., Inc.*, 781 F.2d 855, 856–57 (11th Cir. 1986). The parties settled this case during mediation. (Doc. 16).

Accordingly, the court **GRANTS** the motion to voluntarily dismiss the case and **DISMISSES WITH PREJUDICE** all remaining claims.

The court **DIRECTS** the Clerk to close this case.

DONE and **ORDERED** this September 24, 2019.



ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE